

IN RE: PETITION FOR SPECIAL HEARING  
S/S Frederick Road, 187 ft. W  
of c/l Seminole Avenue  
1707 Frederick Road  
1st Election District  
1st Councilmanic District

Dr. Lawrence M. Blanken  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-331-SPH

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property located at 1707 Frederick Road in Catonsville section of Baltimore County. The Petition was filed by Dr. Lawrence M. Blanken, property owner. Special Hearing relief is requested to approve the subject site as an existing veterinarian office as a nonconforming use, pursuant to Section 104 of the Baltimore County Zoning Regulations (BCZR). The subject property and relief sought are more particularly shown on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held for this case was Lawrence M. Blanken, property owner/Petitioner. Also appearing in support of the Petition was Kenneth C. Ziegler, the son of the former owner of the property, and William T. Matthews and Richard W. Benner. The Petitioner was represented by Patricia Malone, Esquire and Robert A. Hoffman, Esquire. Appearing as interested persons/Protestants were Pat Langeluttig and Eugene L. Shaver, residents of the subject vicinity.

An examination of the site plan discloses that the subject property is .63 acres in area, zoned D.R.2. This is rectangularly lot which fronts Frederick Road in Catonsville. The property is presently improved with a two story structure, with a basement, which is utilized as a veterinarian's office and a dwelling. The site also features an attached garage to the rear of the property, a driveway, and an area for parking.

ORDER RECEIVED FOR FILING

Date

By

4/19/96  
M. G. G. G.

MICROFILMED

Kenneth C. Ziegler, the son of the former owner of the property testified about the history of the site. He indicated that his father, Dr. Charles Ziegler, purchased the site in 1940 and began a veterinary practice at the location in 1941. Mr. Ziegler described the property in detail and presented both the floor plan (Petitioner's Exhibit No. 3) and a series of photographs (Petitioner's Exhibit No. 5) depicting the property. Essentially, those exhibits indicate that the property is improved with a large structure which has been used as both a veterinarian's office and a dwelling. As to the veterinarian's office, a separate access is provided to same from the outside. The office features a waiting room, several examining rooms, a grooming and storage area, and a kennel area. Mr. Ziegler indicated that his father practiced continuously at this location and had resided thereon for over 40 years. Upon his retirement in the summer of 1995, Dr. Ziegler sold the property to the present owner of the site, Lawrence M. Blanken. Mr. Ziegler also described the surrounding locale and testified that the use of the property as a veterinarian's office had continued in an identical fashion during his father's entire period of ownership.

Dr. Blanken also offered testimony and described the site in some detail. He noted that he purchased the property in September of 1995 and has both resided thereon and conducted his veterinarian's practice since that time. He testified that the site is now being used in a manner identical to the business previously operated by Dr. Ziegler. Dr. Blanken explained each of the photographs submitted and fully described the property. He noted that the property was marketed prior to his purchase as a combination dwelling/veterinarian's office and is configured so as to serve both purposes.

ORDER RECEIVED FOR FILING

Date

By

Ms. Langeluttig resides next door and has owned her property for approximately 5-1/2 years. Her main objection to the use surrounds issues such as traffic and water runoff. She described in some detail the topography of the site and area. She particularly objects to Dr. Blanken's construction of a gravel parking area on that portion of the subject property which abuts her lot.

Mr. Shaver testified that he objects to a continuing trend of commercialization of the area. He also asks several questions about the nonconforming use designation. Nonconforming uses are defined in Section 101 of the BCZR as "A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use . . .". In essence, designation of a use as "nonconforming" grandfathers that use and legitimizes same. The nonconforming use is utilized to legitimize uses which have become illegal or improper under the zoning regulations.

Nonconforming uses are governed within Section 104 of the BCZR. Section 104.1 provides that a nonconforming use may continue provided that the use is not changed or abandoned/discontinued. The balance of Section 104 of the BCZR sets forth specific criteria upon which nonconforming uses must be adjudged.

In the instant case, it is to be noted that the first set of comprehensive zoning regulations adopted by Baltimore County were enacted in 1945. In 1955, the regulations were comprehensively amended. Although the regulations had been numerously amended over the years, the 1955 regulations are the forerunners of the regulations in place today.

Based upon the uncontradicted testimony and evidence offered, it is clear that the utilization of the subject property as a dwelling/veterinarian's office is nonconforming. The testimony of Mr. Ziegler is particu-

ORDER RECEIVED FOR FILING

Date

4/19/96

By

*Ch. H. H. H.*

larly persuasive as is the affidavit which was submitted from Dr. Charles G. Ziegler (Petitioner's Exhibit No. 2). Dr. Ziegler, who is now elderly and was not capable of attending the hearing, opined under affidavit that he opened the veterinarian's office on the subject site in December of 1941 and used the property in continuous fashion until the sale of same in 1995. He also indicated that the use of the subject property was not abandoned, discontinued or changed during his period of ownership.

In that the Petitioner has established that the use originated prior to the adoption of the first set of regulations and has continued uninterruptedly since then, it is clear that the nonconforming use designation must attach to this property. Thus, the Petitioner may continue using this property in similar fashion.

A word is also in order about Ms. Langeluttig's objections. Those objections cannot be properly entertained by me in that the subject matter of the case before me is whether the use is nonconforming, as described above. Moreover, it is to be noted that any property owner may utilize his/her own property for any legal and legitimate purpose. For so long as the Petitioner complies with zoning regulations, building codes and other regulations which govern the use of property, the addition of an area for parking is permissible. Thus, placement of a restriction upon Dr. Blanken's ability to improve and alter the property is inappropriate.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19<sup>th</sup> day of April, 1996 that, pursuant to the Petition for Special Hearing, approval for an existing veterinarian office as a nonconforming use, pursuant to Section 104 of the Baltimore County Zoning Regula-

ORDER RECEIVED FOR FILING

Date


By

4/19/96  
Jm. Horak

tions (BCZR), be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 2/19/96  
By M. Graham

RECEIVED

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

April 17, 1996

Patricia A. Malone, Esquire  
Robert A. Hoffman, Esquire  
Venable, Baetjer and Howard LLP  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Petition for Special Hearing  
Case No. 96-331-SPH  
Property: 1707 Frederick Road  
Dr. Lawrence M. Blanken, Petitioner

Dear Ms. Malone and Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn  
encl.

c: Dr. Lawrence M. Blanken, 1707 Frederick Road, Catonsville  
Ms. P. Langeluttig, 1703 Frederick Road, Catonsville  
Mr. Eugene Shaver, 116 S. Hilltop Road, Catonsville

APR 19 1996





# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 1707 Frederick Road

which is presently zoned DR-2

96-331-S PH

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an existing veterinarian office as a non-conforming use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Patricia A. Malone

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature Patricia A. Malone

Signature Robert A. Hoffman

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

MD

21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Dr. Lawrence M. Blanken

(Type or Print Name)

Signature

(Type or Print Name)

Signature

1707 Frederick Road

Address

(410)719-2428

Phone No.

Catonsville

MD

21228

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Patricia A. Malone

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 hrs

unavailable for Hearing the following dates

Next Two Months

ALL ☒

OTHER ☐

REVIEWED BY: nmk

DATE

3/1/96



**ZONING DESCRIPTION**

**1707 Frederick Road  
Catonsville, Maryland  
(1st Election District)**

96-331-SPH

***Beginning at a point on the Southerly side of Frederick Avenue, 66 feet wide, which point is at the distance of 187 feet more or less measured Westerly from the center line of Seminole Avenue which is 50 feet wide and running thence the four following courses and distances:***

- (1) Westerly, 154 feet***
- (2) Southerly, 150 feet***
- (3) Easterly, 152.2 feet***
- (4) Northerly, 150 feet***

***to the point of beginning as recorded in Deed Liber 11231, Folio 100***

***Containing 0.63 Acres of Land more or less.***

***Being Lots Numbered 1 and 2 in the subdivision of "Seminole Heights" recorded in Baltimore County Plat Book 5, Folio 66, containing 0.63 Acres of Land more or less. Also known as 1707 Frederick Road and located in the 1st Election District.***



RECEIVED

**Ruxton Design Corporation  
Ruxton, Maryland**

**(410) 823-5000**



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**      **96-331-SPH**

**Towson, Maryland**

District: 1st      Date of Posting: 3-22-96

Posted for: April 11, 1996 Hearing

Petitioner: Dr. Lawrence M. Blanton

Location of property: 1707 Fredrick Road

Location of Sign: \_\_\_\_\_

Remarks: \_\_\_\_\_

Posted by: Mark Hand      Date of return: \_\_\_\_\_  
Signature

Number of Signs: \_\_\_\_\_

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-331-SPH  
(Item 332)  
1707 Frederick Road  
SS Frederick Road, 187' W  
of 64 Semble Avenue  
1st Election District  
1st Councilmanic  
Legal Owner(s):  
Dr. Lawrence M. Blanken

Special Hearing: to approve an existing veterinarian office as a non-conforming use.

Hearing: Thursday, April 11, 1996 at 11:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County  
NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3393.  
(2) For information concerning the file and/or Hearing, Please Call 887-3391.

3/1/92 March 14, C37197

**CERTIFICATE OF PUBLICATION**

TOWSON, MD.,

3/14, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

**THE JEFFERSONIAN,**

*A. H. Williams*  
**LEGAL AD. - TOWSON**

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 013991

96-331-SPH

DATE 3/1/96

ACCOUNT 01-615

Item: 332

By: MDK

AMOUNT \$ 285.00

RECEIVED Catonsville Annuity Hospital

FROM: 640- Special Hk. - \$ 250.00  
060- 1 sign posty - B 35.00  
FOR: \$ 285.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 332 Petitioner: Dr. Lawrence M. Blanken

Location: 1707 Frederick Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Venable, Baetjer, + Howard - c/o Robert Hoffman

ADDRESS: 210 Allegheny Ave

Towson, MD 21204

PHONE NUMBER: (410) 494-6200

TO: PUTUXENT PUBLISHING COMPANY  
March 14, 1996 Issue - Jeffersonian

Please forward billing to:

Robert Hoffman, Esq.  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, MD 21204  
494-6200

---

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-331-SPH (Item 332)  
1707 Frederick Road  
S/S Frederick Road, 187' W of c/l Seminole Avenue  
1st Election District - 1st Councilmanic  
Legal Owner: Dr. Lawrence M. Blanken

Special Hearing to approve an existing veterinarian office as a non-conforming use.

HEARING: THURSDAY, APRIL 11, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

March 7, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-331-SPH (Item 332)  
1707 Frederick Road  
S/S Frederick Road, 187' W of c/l Seminole Avenue  
1st Election District - 1st Councilmanic  
Legal Owner: Dr. Lawrence M. Blanken

Special Hearing to approve an existing veterinarian office as a non-conforming use.

HEARING: THURSDAY, APRIL 11, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Dr. Lawrence M. Blanken  
Patricia A. Malone, Esq./Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

April 4, 1996

Patricia A. Malone, Esquire  
Robert A. Hoffman, Esquire  
Venable, Baetjer and Howard, LLP  
210 Allegheny Avenue  
Towson, MD 21204

RE: Item No.: 332  
Case No.: 96-331-SPH  
Petitioner: Lawrence M. Blanken


Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 13, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)





**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

3-8-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 332 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US #144 ~~are~~ acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

*for* *Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: March 14, 1996

FROM: Pat Keller, Director  
Office of Planning

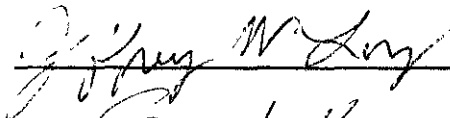
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):


Item Nos. 332, 335, 337 and 341

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:



Division Chief:



PK/JL

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 03/12/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: DR. LAWRENCE M. BLANKEN

Location: S/S FREDERICK RD., 187' W OF CENTERLINE SEMINOLE AVE.  
(1707 FREDERICK RD.)

Item No.: 332

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

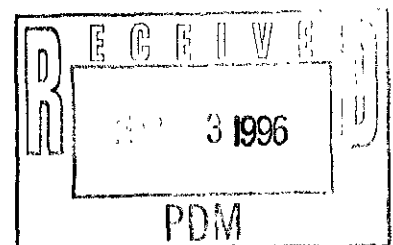
REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink  
on Recycled Paper

MICROFILMED



B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:        Arnold Jablon, Director  
            Department of Permits & Development  
            Management

Date:    March 18, 1996

FROM:     *RWB* Robert W. Bowling, Chief  
            Development Plans Review Division  
            Department of Permits & Development  
            Management

SUBJECT:   Zoning Advisory Committee Meeting  
            for March 18, 1996  
            Item No. 332

The Development Plans Review Division has reviewed the subject zoning item. Frederick Road is a State road, therefore all improvements, intersections, entrances, drainage requirements and construction affecting the State road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County

The entrance to the site should meet the requirements per the Department of Public Works' Standard Plate R-32A.

RWB:jrb

cc:    File

ZONE2D

RE: PETITION FOR SPECIAL HEARING  
1707 Frederick Road, S/S Frederick Rd,  
187' W of c/l Seminole Avenue, 1st  
Election District, 1st Councilmanic

Dr. Lawrence M. Blanken  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 96-331-SPH

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Patricia A. Malone, Esq. and Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorneys for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

or Citizens

NAME

ADDRESS

*Pat Langcutt*  
EUGENE L. SHAVER

*1703 Frederick Rd #212e*  
116 S. HILTOP RD, 21228

*LANGcuttig*



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Robert Hoffman

Patricia Malone

Lawrence M. Blauvelt

Kenneth C. Ziegler

WILLIAM T. MATTHEWS

Richard W. Benner

< 210 Allegheny Ave

Towson, MD 21204

1707 Frederick Rd. <sup>21228</sup> ~~Crofton~~ Md.

1431 Boulder Ln Hanover, MD

8422 BOLLONA LANE, SUITE 300

" " " " "

Ref No 2

IN THE MATTER OF  
LAWRENCE M. BLANKEN  
FOR A SPECIAL HEARING FOR  
A VETERINARIAN'S OFFICE  
AT 1707 FREDERICK ROAD

\* BEFORE  
\* THE ZONING COMMISSIONER  
\* OF  
\* BALTIMORE COUNTY  
\* Zoning Case Number: 96-331-SPH

\* \* \* \* \*

**AFFIDAVIT OF DR. CHARLES G. ZIEGLER**

Dr. Charles G. Ziegler, in accordance with Maryland Rule 1-304, solemnly affirms under the penalties of perjury and upon personal knowledge that the contents of this Affidavit are true:

1. I am over eighteen years of age and have personal knowledge of the facts stated in this Affidavit.
2. I am a veterinarian licensed by the State of Maryland.
3. In December of 1941, I opened a veterinarian's office on a portion of what was my residence at 1707 Frederick Road, Baltimore, Maryland. In 1959, the area used for an outdoor run was enclosed for use as indoor space for the veterinary practice.
4. I practiced veterinary medicine at this location continuously from the day I started the practice in 1941 until I was forced for health reasons to relocate to the Charlestown Retirement Community on September 1, 1994. I retained ownership of my residence at 1707 Frederick Road, and I continued to treat animals in my practice. The last time I engaged in the practice of veterinary medicine at 1707 Frederick Road was in May of 1995.

Charles G. Ziegler

5. During the time I operated my veterinary practice at 1707 Frederick Road, signs were continuously displayed to advertise the practice. These signs were visible to neighboring property owners and to persons traveling along Frederick Road.

6. During the time I operated my veterinary practice at 1707 Frederick Road, it was generally known throughout the neighborhood that a veterinarian's office was being operated at this location.

7. It was my intention, despite my being forced to relocate to Charlestown, that the practice at 1707 Frederick Road would be continued and, at no time, did I abandon or discontinue that practice. Rather, I actively sought another veterinarian to purchase the residence, which efforts included advertising in local trade publications for such purchase.

8. The residence at 1707 Frederick Road was, in fact, sold to another veterinarian, Dr. Lawrence M. Blanken, for the specific purpose of continuing the operation of the veterinarian's office at this location.

Charles G. Ziegler  
DR. CHARLES G. ZIEGLER

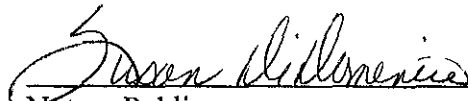
Feb 26 1986  
DATE



STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, to wit:

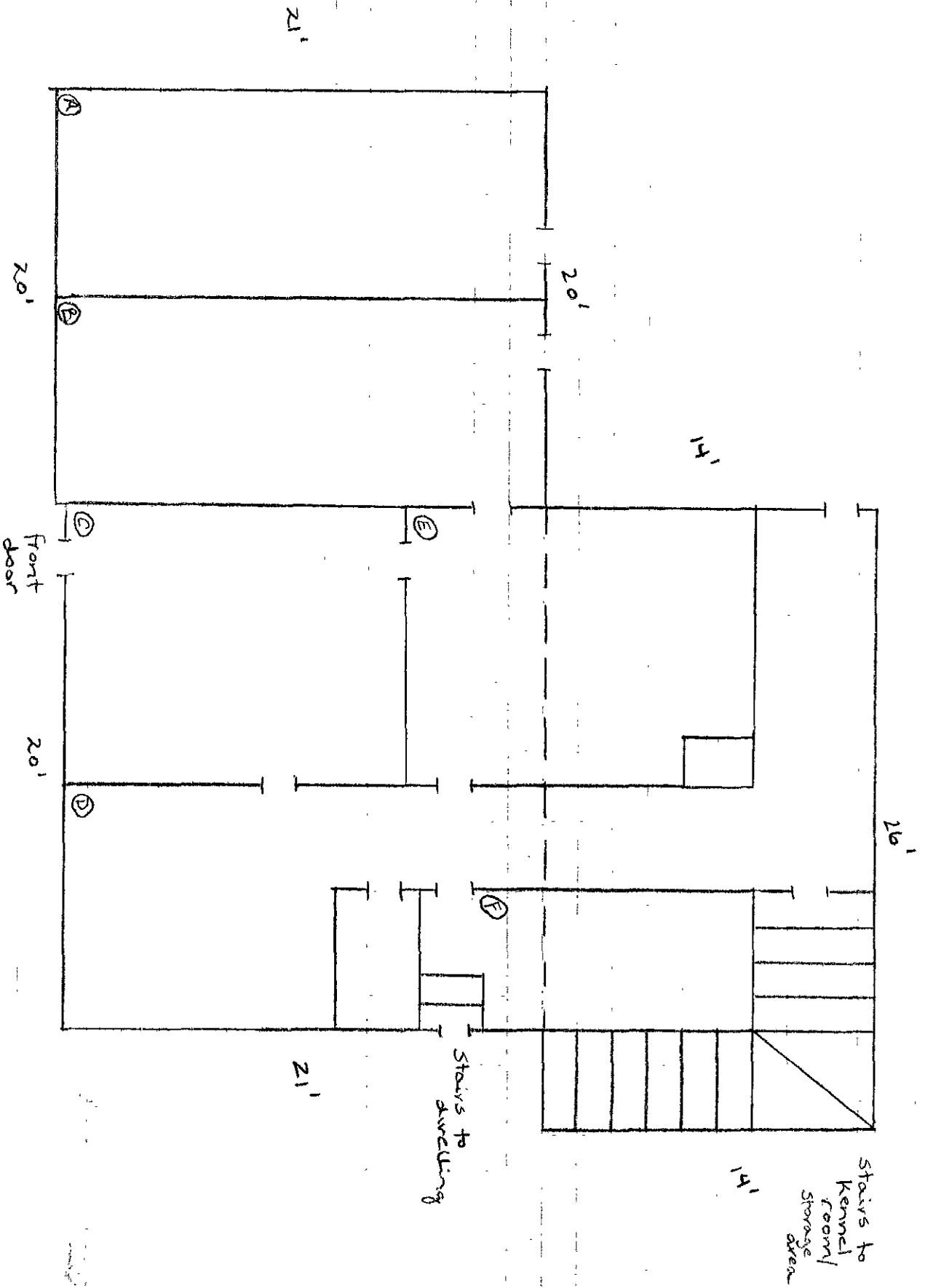
I HEREBY CERTIFY that on this 21<sup>st</sup> day of February, 1996,  
before the subscriber, a Notary Public of Maryland, personally appeared DR. CHARLES  
G. ZIEGLER, and he made oath in due form of law that the matters and facts contained in  
the foregoing AFFIDAVIT are true and correct, and he acknowledged the same to be his  
act and that he has a full understanding thereof.

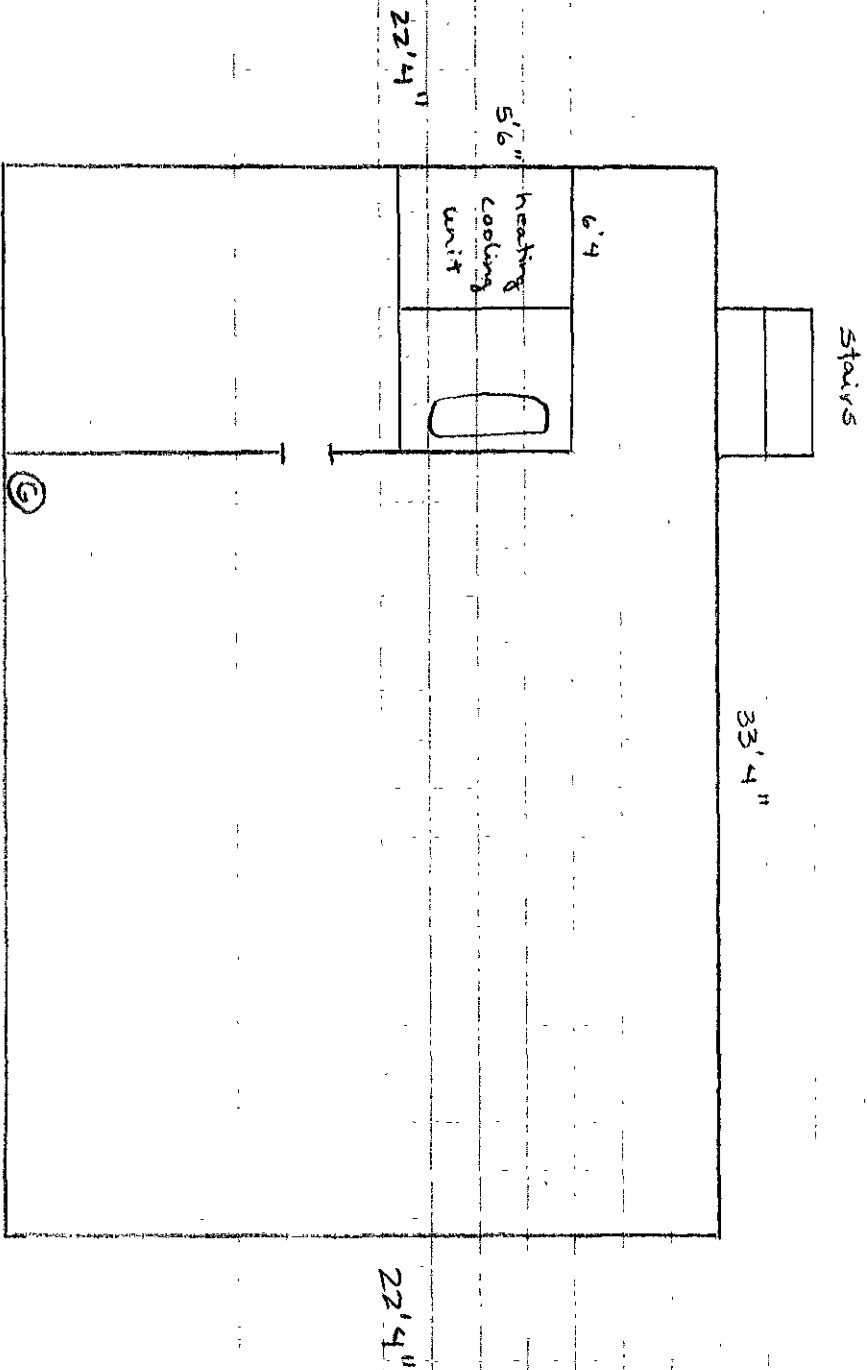
WITNESS my signature and notarial seal.

  
Notary Public

My Commission Expires: 6/14/1997

Plot 3





Scale 1" = 6'

Ref 4

1707 FREDERICK ROAD

SQUARE FOOTAGE FOR NONCONFORMING USE

Clipping/Storage Area	420 square feet
-----------------------	-----------------

Front Examining/Waiting Area	420 square feet
------------------------------	-----------------

Back Examining/X-Ray Area	364 square feet
---------------------------	-----------------

Kennel Room/Storage Area	706 square feet
--------------------------	-----------------

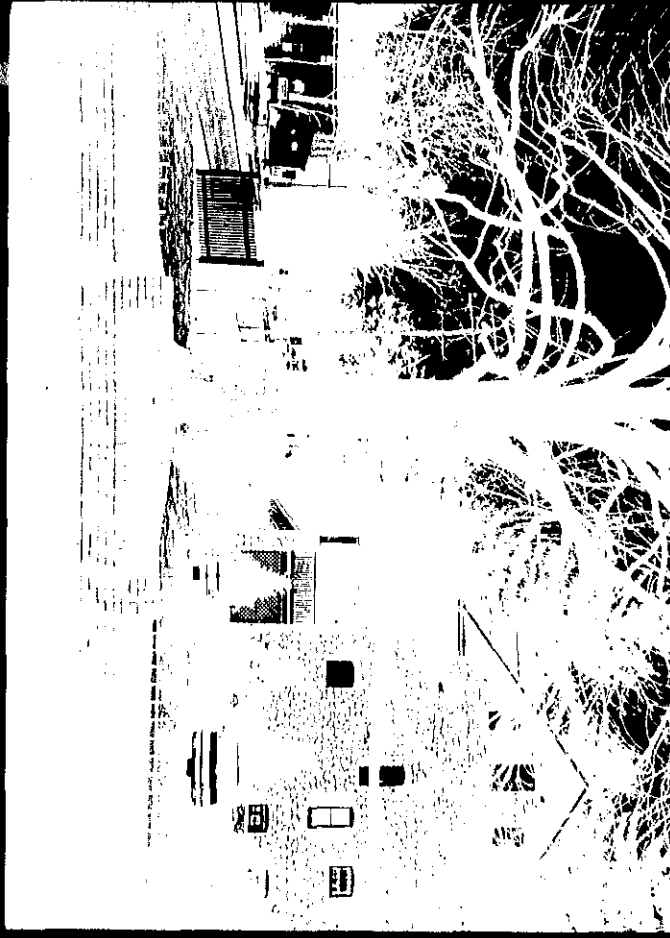
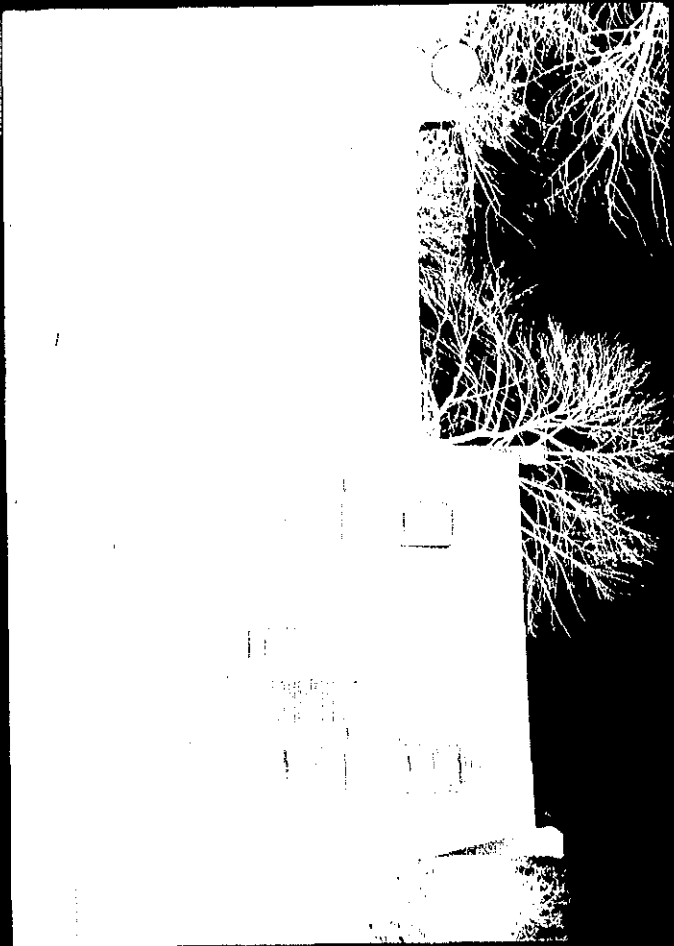
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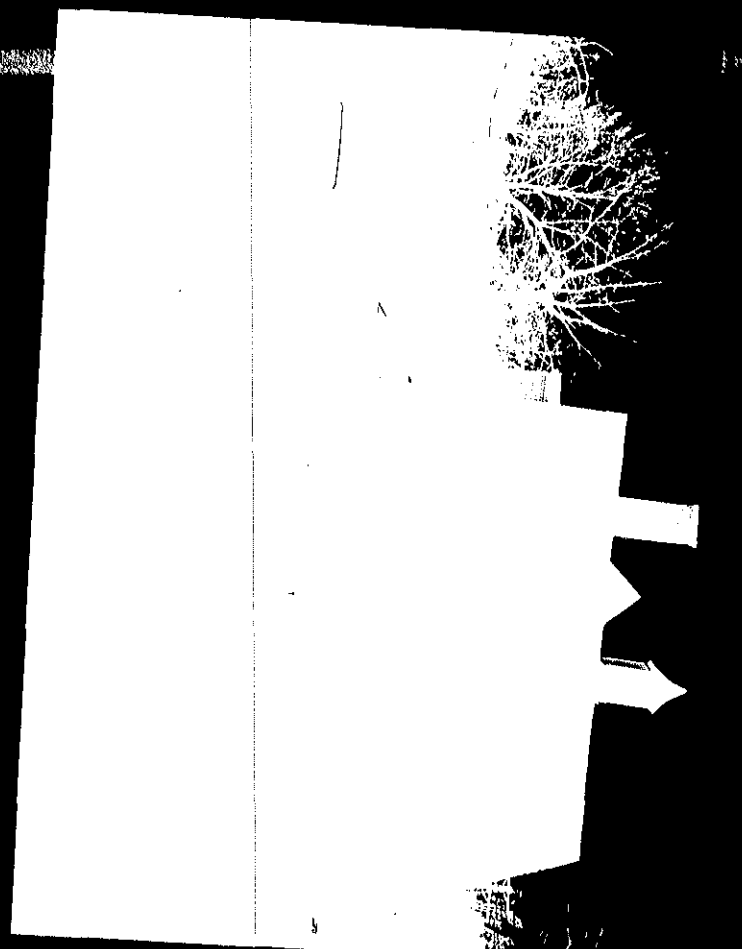
TOTAL AREA UTILIZED (PRE-1959)	1910 square feet
--------------------------------	------------------

Outdoor Runs	255 square feet
--------------	-----------------

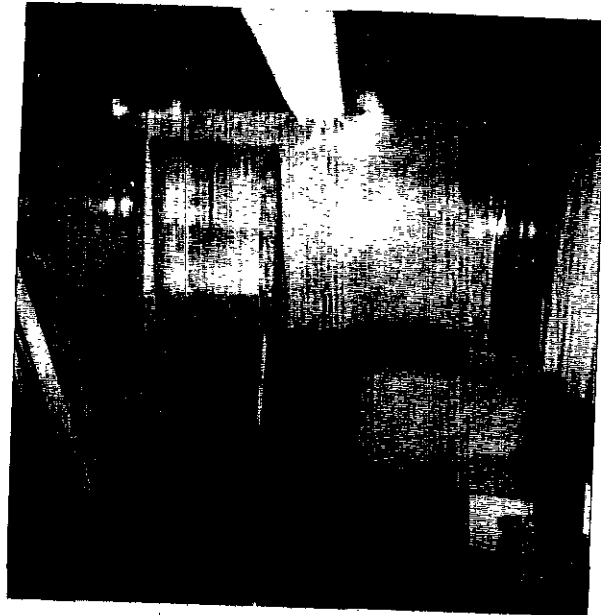
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TOTAL AREA UTILIZED (POST-1959)	2165 square feet
---------------------------------	------------------



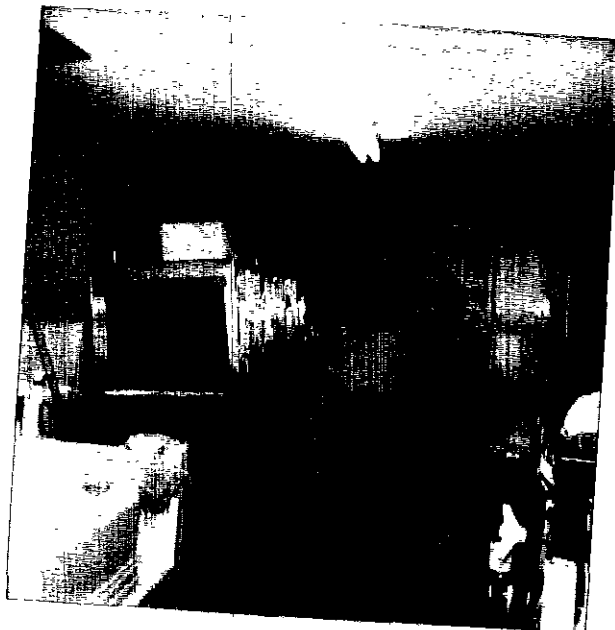






"A"

Ref  
50



B

Ref 5N



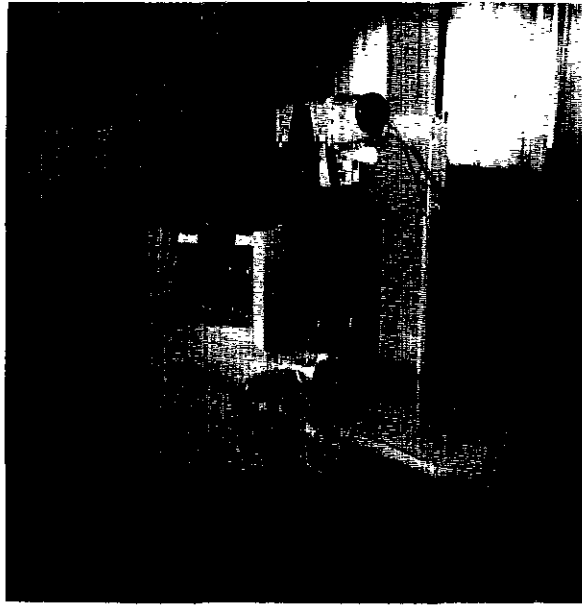


"D" 512



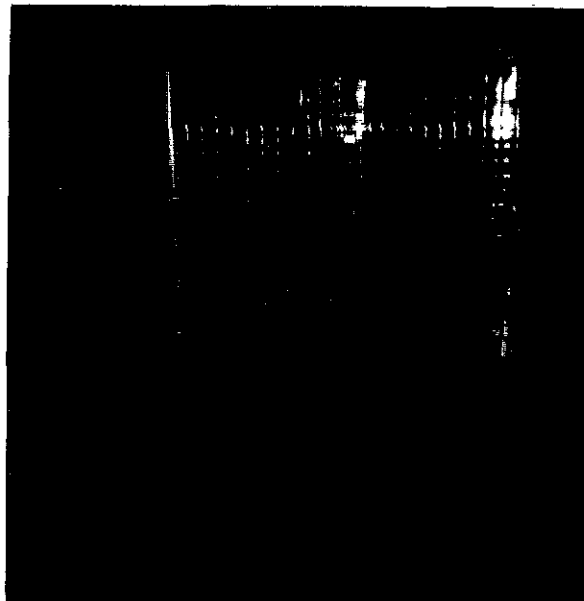
"✓"  
E

56



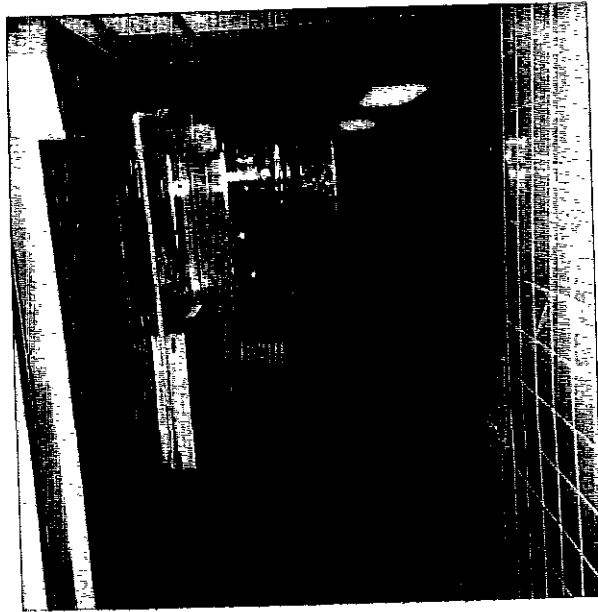
F

5M



Kennels

Ref  
R



Kennels

Net  
Net

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
S/S Frederick Road, 187 ft. W \* ZONING COMMISSIONER  
of c/l Seminole Avenue \* OF BALTIMORE COUNTY  
1707 Frederick Road \* 1st Election District  
1st Councilmanic District \* Case No. 96-331-SPH  
Dr. Lawrence M. Blanken  
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property located at 1707 Frederick Road in Catonsville section of Baltimore County. The Petition was filed by Dr. Lawrence M. Blanken, property owner. Special Hearing relief is requested to approve the subject site as an existing veterinarian office as a nonconforming use, pursuant to Section 104 of the Baltimore County Zoning Regulations (BCZR). The subject property and relief sought are more particularly shown on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held for this case was Lawrence M. Blanken, property owner/Petitioner. Also appearing in support of the Petition was Kenneth C. Ziegler, the son of the former owner of the property, and William T. Matthews and Richard W. Benner. The Petitioner was represented by Patricia Malone, Esquire and Robert A. Hoffman, Esquire. Appearing as interested persons/Protestants were Pat Langeluttig and Eugene L. Shaver, residents of the subject vicinity.

An examination of the site plan discloses that the subject property is .63 acres in area, zoned D.R.2. This is rectangularly lot which fronts Frederick Road in Catonsville. The property is presently improved with a two story structure, with a basement, which is utilized as a veterinarian's office and a dwelling. The site also features an attached garage to the rear of the property, a driveway, and an area for parking.

Kenneth C. Ziegler, the son of the former owner of the property testified about the history of the site. He indicated that his father, Dr. Charles Ziegler, purchased the site in 1940 and began a veterinary practice at the location in 1941. Mr. Ziegler described the property in detail and presented both the floor plan (Petitioner's Exhibit No. 3) and a series of photographs (Petitioner's Exhibit No. 5) depicting the property. Essentially, those exhibits indicate that the property is improved with a large structure which has been used as both a veterinarian's office and a dwelling. As to the veterinarian's office, a separate access is provided to same from the outside. The office features a waiting room, several examining rooms, a grooming and storage area, and a kennel area. Mr. Ziegler indicated that his father practiced continuously at this location and had resided thereon for over 40 years. Upon his retirement in the summer of 1995, Dr. Ziegler sold the property to the present owner of the site, Lawrence M. Blanken. Mr. Ziegler also described the surrounding locale and testified that the use of the property as a veterinarian's office had continued in an identical fashion during his father's entire period of ownership.

Dr. Blanken also offered testimony and described the site in some detail. He noted that he purchased the property in September of 1995 and has both resided thereon and conducted his veterinarian's practice since that time. He testified that the site is now being used in a manner identical to the business previously operated by Dr. Ziegler. Dr. Blanken explained each of the photographs submitted and fully described the property. He noted that the property was marketed prior to his purchase as a combination dwelling/veterinarian's office and is configured so as to serve both purposes.

Ms. Langeluttig resides next door and has owned her property for approximately 5-1/2 years. Her main objection to the use surrounds issues such as traffic and water runoff. She described in some detail the topography of the site and area. She particularly objects to Dr. Blanken's construction of a gravel parking area on that portion of the subject property which abuts her lot.

Mr. Shaver testified that he objects to a continuing trend of commercialization of the area. He also asks several questions about the nonconforming use designation. Nonconforming uses are defined in Section 101 of the BCZR as "A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use . . .". In essence, designation of a use as "nonconforming" grandfathered that use and legitimizes same. The nonconforming use is utilized to legitimize uses which have become illegal or improper under the zoning regulations.

Nonconforming uses are governed within Section 104 of the BCZR. Section 104.1 provides that a nonconforming use may continue provided that the use is not changed or abandoned/discontinued. The balance of Section 104 of the BCZR sets forth specific criteria upon which nonconforming uses must be adjudged.

In the instant case, it is to be noted that the first set of comprehensive zoning regulations adopted by Baltimore County were enacted in 1945. In 1955, the regulations were comprehensively amended. Although the regulations had been numerous amended over the years, the 1955 regulations are the forerunners of the regulations in place today.

Based upon the uncontradicted testimony and evidence offered, it is clear that the utilization of the subject property as a dwelling/veterinarian's office is nonconforming. The testimony of Mr. Ziegler is particu-

larly persuasive as is the affidavit which was submitted from Dr. Charles G. Ziegler (Petitioner's Exhibit No. 2). Dr. Ziegler, who is now elderly and was not capable of attending the hearing, opined under affidavit that he opened the veterinarian's office on the subject site in December of 1941 and used the property in continuous fashion until the sale of same in 1995. He also indicated that the use of the subject property was not abandoned, discontinued or changed during his period of ownership.

In that the Petitioner has established that the use originated prior to the adoption of the first set of regulations and has continued uninterrupted since then, it is clear that the nonconforming use designation must attach to this property. Thus, the Petitioner may continue using this property in similar fashion.

A word is also in order about Ms. Langeluttig's objections. Those objections cannot be properly entertained by me in that the subject matter of the case before me is whether the use is nonconforming, as described above. Moreover, it is to be noted that any property owner may utilize his/her own property for any legal and legitimate purpose. For so long as the Petitioner complies with zoning regulations, building codes and other regulations which govern the use of property, the addition of an area for parking is permissible. Thus, placement of a restriction upon Dr. Blanken's ability to improve and alter the property is inappropriate.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of April, 1996 that, pursuant to the Petition for Special Hearing, approval for an existing veterinarian office as a nonconforming use, pursuant to Section 104 of the Baltimore County Zoning Regula-

tions (BCZR), be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

April 17, 1996

Patricia A. Malone, Esquire  
Robert A. Hoffman, Esquire  
Venable, Baetjer and Howard LLP  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Petition for Special Hearing  
Case No. 96-331-SPH  
Property: 1707 Frederick Road  
Dr. Lawrence M. Blanken, Petitioner

Dear Ms. Malone and Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

encl.

c: Dr. Lawrence M. Blanken, 1707 Frederick Road, Catonsville  
Ms. P. Langeluttig, 1703 Frederick Road, Catonsville  
Mr. Eugene Shaver, 116 S. Hilltop Road, Catonsville



Petition for Special Hearing  
to the Zoning Commissioner of Baltimore County  
for the property located at 1707 Frederick Road  
which is presently zoned DR-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an existing veterinarian office as a non-conforming use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Patricia A. Malone  
Robert A. Hoffman  
Venable, Baetjer and Howard, LLP  
(Type or Print Name)

Signature Patricia A. Malone

Signature Robert A. Hoffman

210 Allegheny Ave.

(410) 494-6200

Address

Towson

MD

21204

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s):

Dr. Lawrence M. Blanken

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Catonsville

MD

21228

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Patricia A. Malone

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave., Towson, MD 21204

(410) 494-6200

Address

Towson

MD

21204

City

State

Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing the following dates

Next Two Months

ALL OTHER

REVIEWED BY: DATE

DATE 3/1/96

ZONING DESCRIPTION  
1707 Frederick Road  
Catonsville, Maryland  
(1st Election District)

Beginning at a point on the Southerly side of Frederick Avenue, 66 feet wide, which point is at the distance of 187 feet more or less measured Westerly from the center line of Seminole Avenue which is 50 feet wide and running thence the four following courses and distances:

- (1) Westerly, 154 feet
- (2) Southerly, 150 feet
- (3) Easterly, 152.2 feet
- (4) Northerly, 150 feet

to the point of beginning as recorded in Deed Liber 11231, Folio 100

Containing 0.63 Acres of Land more or less.

Being Lots Numbered 1 and 2 in the subdivision of "Seminole Heights" recorded in Baltimore County Plat Book 5, Folio 66, containing 0.63 Acres of Land more or less. Also known as 1707 Frederick Road and located in the 1st Election District.



MICROFILMED

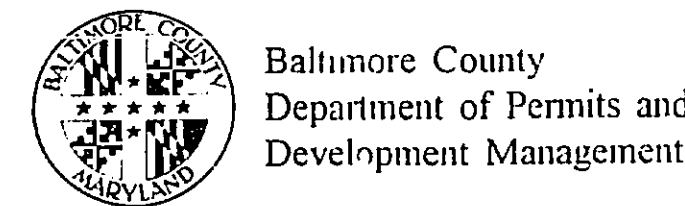
Renton Design Corporation  
Baltimore, Maryland  
(410) 823-5000



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 1st Date of Posting: 3-22-96  
Posted for: April 11, 1996 Hearing  
Petitioner: Dr. Lawrence M. Blanken  
Location of property: 1707 Frederick Road  
Location of Sign: \_\_\_\_\_  
Remarks: \_\_\_\_\_  
Posted by: Mark Paul Signature \_\_\_\_\_ Date of return: \_\_\_\_\_  
Number of Signs: \_\_\_\_\_

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 010991  
96-331-SPH  
DATE 3/1/96 ACCOUNT 01-615  
John: 332  
By: MDA AMOUNT \$ 285.00  
RECEIVED: Cash/Debit Amount Handled  
640 Special Reg - \$ 250.00  
650 Special Reg - \$ 35.00  
FOR: \_\_\_\_\_  
VALIDATION OR SIGNATURE OF CASHIER  
PRINTED NAME: \_\_\_\_\_



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

**For newspaper advertising:**

Item No.: 332 Petitioner: Dr. Lawrence M. Blanken  
Location: 1707 Frederick Rd  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: Venable, Baetjer & Howard - c/o Robert Hoffman  
ADDRESS: 210 Allegheny Ave.  
Towson, MD 21204  
PHONE NUMBER: (410) 494-6200

Printed with Soybean Ink  
on Recycled Paper

12

TO: FOTHEBY PUBLISHING COMPANY  
March 14, 1996 Issue - Jeffersonian

Please forward billing to:

Robert Hoffman, Esq.  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, MD 21204  
494-6200

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-331-SPH (Item 332)  
1707 Frederick Road  
S/S Frederick Road, 187' W of c/l Seminole Avenue  
1st Election District - 1st Councilmanic  
Legal Owner: Dr. Lawrence M. Blanken

Special Hearing to approve an existing veterinarian office as a non-conforming use.

HEARING: THURSDAY, APRIL 11, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 3/14, 1996

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

THE JEFFERSONIAN,

A. Hennickson  
LEGAL AD. - TOWSON

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE #96-331-SPH  
Item 332  
1707 Frederick Road  
S/S Frederick Road, 187' W of c/l Seminole Avenue  
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Legal Owner: Dr. Lawrence M. Blanken

Special Hearing to approve an existing veterinarian office as a non-conforming use.

HEARING: THURSDAY, APRIL 11, 1996 at 11:00 a.m. in Room 118, Old Courthouse.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

March 7, 1996

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-331-SPH (Item 332)  
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Legal Owner: Dr. Lawrence M. Blanken

Special Hearing to approve an existing veterinarian office as a non-conforming use.

HEARING: THURSDAY, APRIL 11, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon

Arnold Jablon  
Director

cc: Dr. Lawrence M. Blanken  
Patricia A. Malone, Esq./Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

April 4, 1996

Patricia A. Malone, Esquire  
Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard, LLP  
210 Allegheny Avenue  
Towson, MD 21204

RE: Item No.: 332  
Case No.: 96-331-SPH  
Petitioner: Lawrence M. Blanken

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

Printed with Soybean Ink  
on Recycled Paper

MICROFILMED



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

3-8-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 105  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 332 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/BS #144 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: March 14, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 332, 335, 337 and 341

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Verna

PK/JL

ITEM332/EZONE/ZAC1



Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-3500

Office of the Fire Marshal  
(410) 887-4880

DATE: 03/12/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: DR. LAWRENCE M. BLANKEN

Location: S/S FREDERICK RD., 187' W OF CENTERLINE SEMINOLE AVE.  
(1707 FREDERICK RD.)

Item No.: 332 Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: March 18, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division  
Department of Permits & Development  
Management

SUBJECT: Zoning Advisory Committee Meeting  
for March 18, 1996  
Item No. 332

The Development Plans Review Division has reviewed the subject zoning item. Frederick Road is a State road, therefore all improvements, intersections, entrances, drainage requirements and construction affecting the State road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The entrance to the site should meet the requirements per the Department of Public Works' Standard Plate R-32A.

RWB:jrb

cc: File

ZONE20

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
1707 Frederick Road, S/S Frederick Rd, \* ZONING COMMISSIONER  
187' W of c/l Seminole Avenue, 1st \* OF BALTIMORE COUNTY  
Election District, 1st Councilmanic \* CASE NO. 96-331-SPH  
Dr. Lawrence M. Blanken \*  
Petitioner \*  
\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Charles S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Patricia A. Malone, Esq. and Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorneys for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

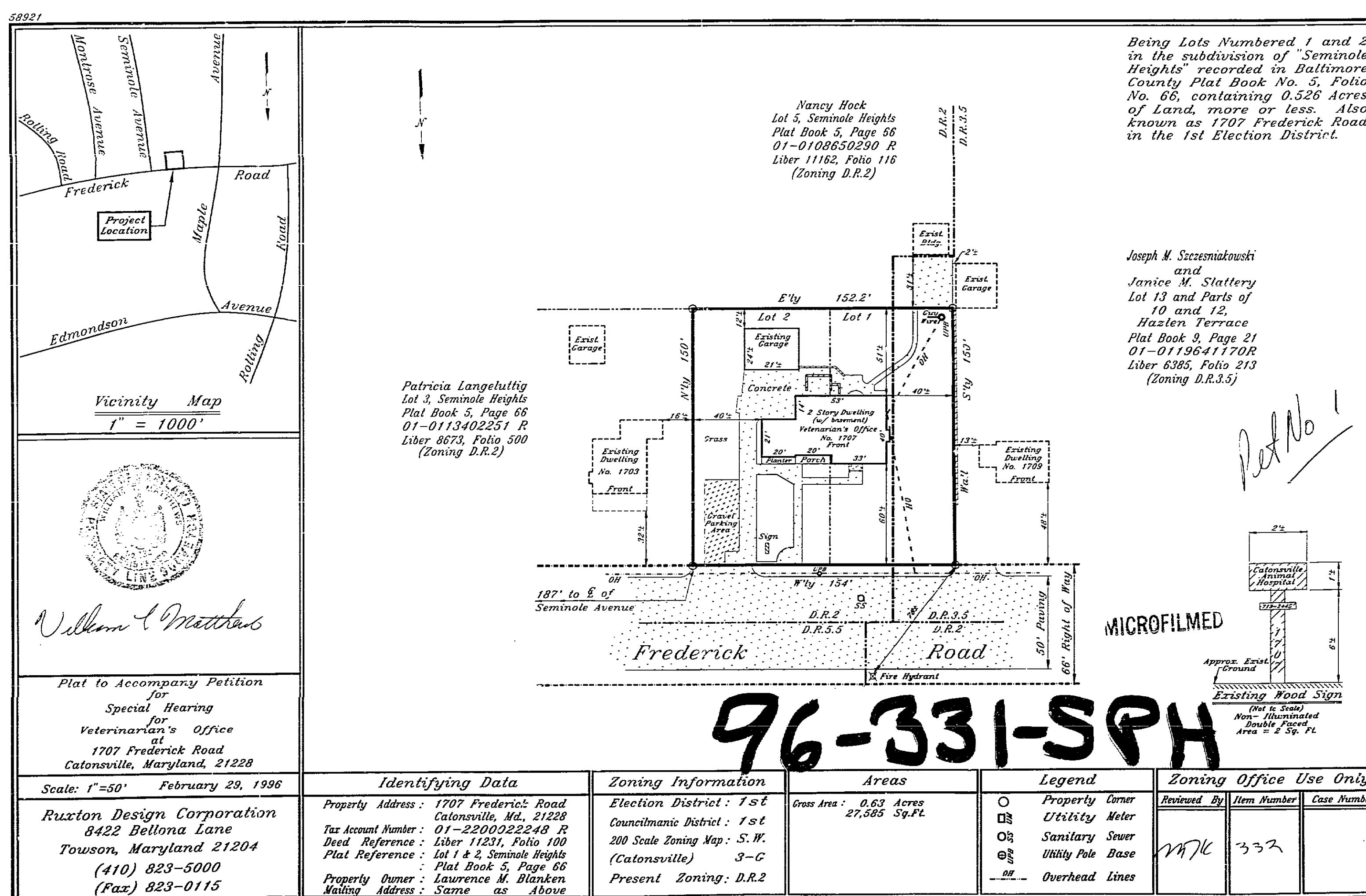
NAME: Eugene L. Shaver  
ADDRESS: 1703 Frederick Rd, 21228  
1165 HILTOP RD, 21228

LAN Goltig

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Robert Hoffman	210 Allegheny Ave
Patricia Malone	Towson, MD 21204
Joseph M. Statterly	1707 Frederick Rd, Towson, MD
Kenneth C. Ziegler	1731 Bulder Ln, Hanover, MD
William T. Matthews	8422 Bellona Lane, Suite 300
Richard W. Benner	" " " "



IN THE MATTER OF  
LAWRENCE M. BLANKEN  
FOR A SPECIAL HEARING FOR  
A VETERINARIAN'S OFFICE  
AT 1707 FREDERICK ROAD

\* BEFORE  
\* THE ZONING COMMISSIONER  
\* OF  
\* BALTIMORE COUNTY  
\* Zoning Case Number: 96-331-SPH

**AFFIDAVIT OF DR. CHARLES G. ZIEGLER**

Dr. Charles G. Ziegler, in accordance with Maryland Rule 1-304, solemnly affirms under the penalties of perjury and upon personal knowledge that the contents of this Affidavit are true:

1. I am over eighteen years of age and have personal knowledge of the facts stated in this Affidavit.
2. I am a veterinarian licensed by the State of Maryland.
3. In December of 1941, I opened a veterinarian's office on a portion of what was my residence at 1707 Frederick Road, Baltimore, Maryland. In 1959, the area used for an outdoor run was enclosed for use as indoor space for the veterinary practice.
4. I practiced veterinary medicine at this location continuously from the day I started the practice in 1941 until I was forced for health reasons to relocate to the Charlestown Retirement Community on September 1, 1994. I retained ownership of my residence at 1707 Frederick Road, and I continued to treat animals in my practice. The last time I engaged in the practice of veterinary medicine at 1707 Frederick Road was in May of 1995.

5. During the time I operated my veterinary practice at 1707 Frederick Road, signs were continuously displayed to advertise the practice. These signs were visible to neighboring property owners and to persons traveling along Frederick Road.

6. During the time I operated my veterinary practice at 1707 Frederick Road, it was generally known throughout the neighborhood that a veterinarian's office was being operated at this location.

7. It was my intention, despite my being forced to relocate to Charlestown, that the practice at 1707 Frederick Road would be continued and, at no time, did I abandon or discontinue that practice. Rather, I actively sought another veterinarian to purchase the residence, which efforts included advertising in local trade publications for such purchase.

8. The residence at 1707 Frederick Road was, in fact, sold to another veterinarian, Dr. Lawrence M. Blanken, for the specific purpose of continuing the operation of the veterinarian's office at this location.

Charles G. Ziegler  
DR. CHARLES G. ZIEGLER

8-26-1986  
DATE

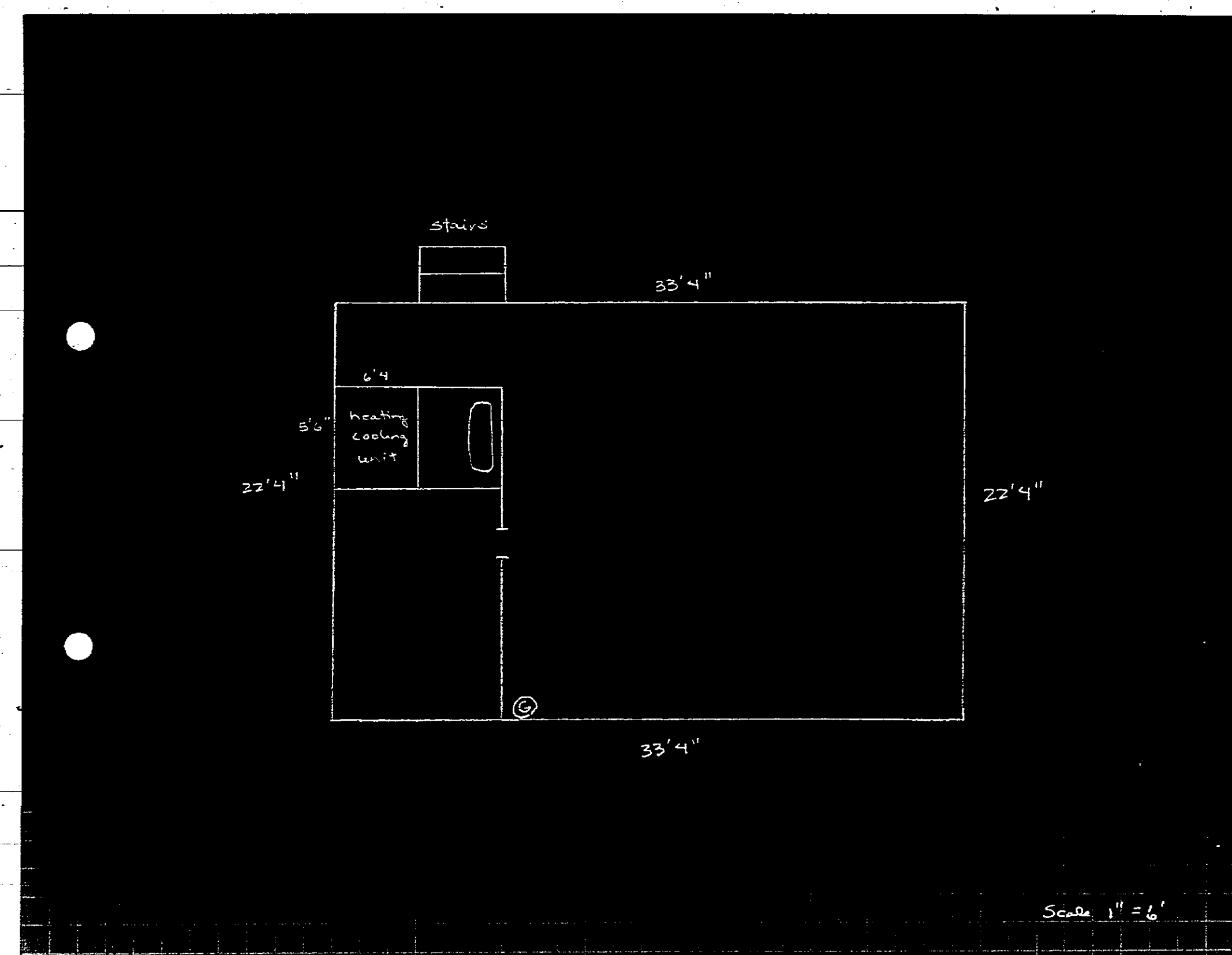
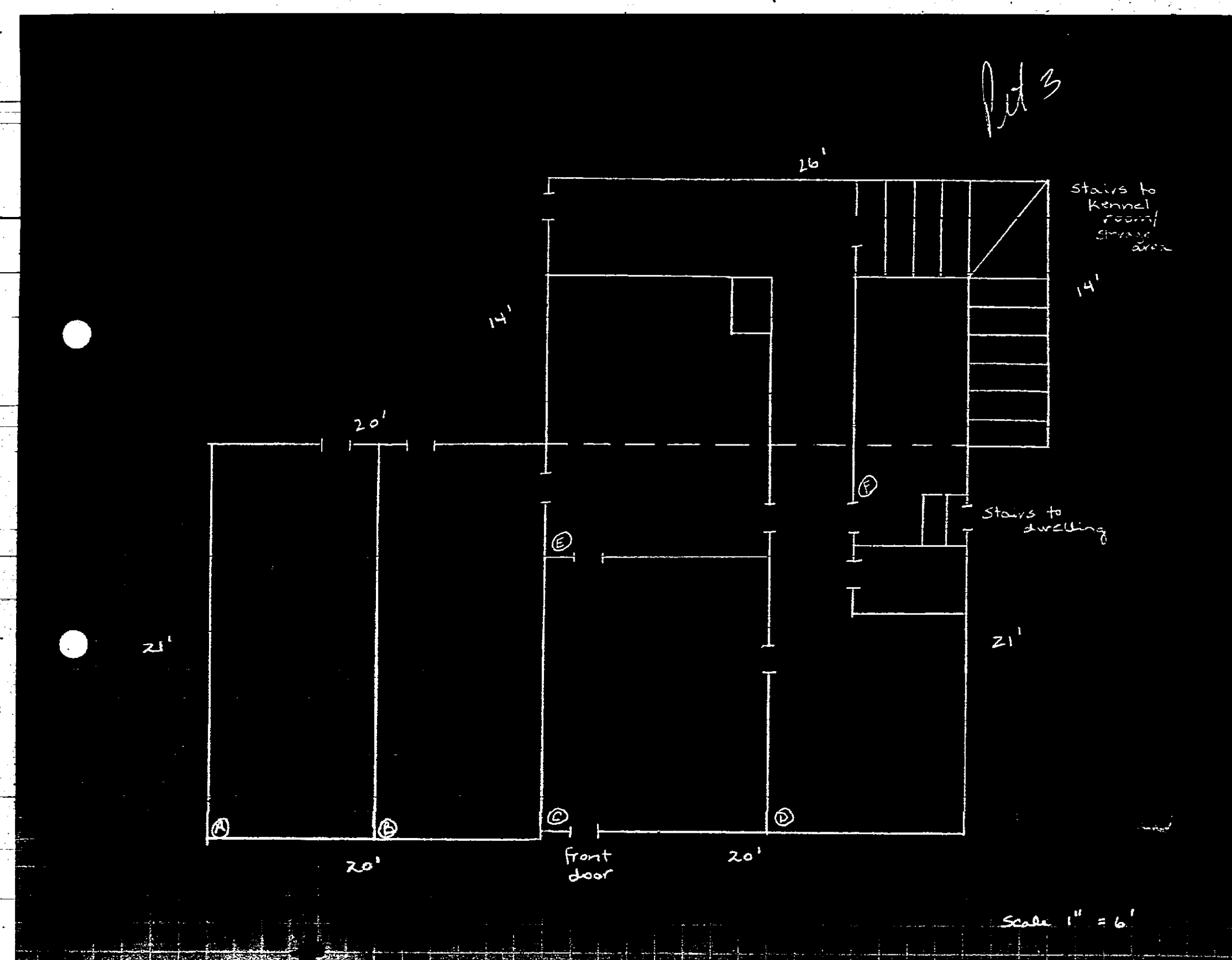
STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 21<sup>st</sup> day of February, 1996, before the subscriber, a Notary Public of Maryland, personally appeared DR. CHARLES G. ZIEGLER, and he made oath in due form of law that the matters and facts contained in the foregoing AFFIDAVIT are true and correct, and he acknowledged the same to be his act and that he has a full understanding thereof.

WITNESS my signature and notarial seal.

James M. Williams  
Notary Public

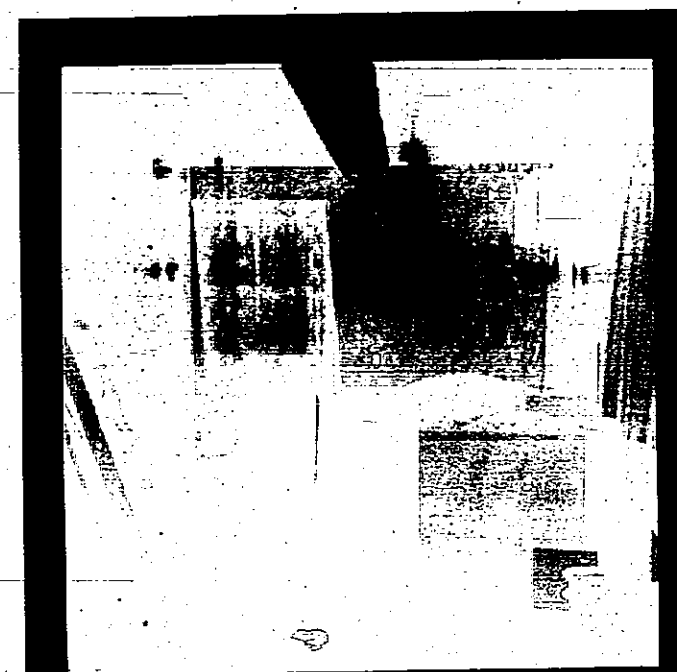
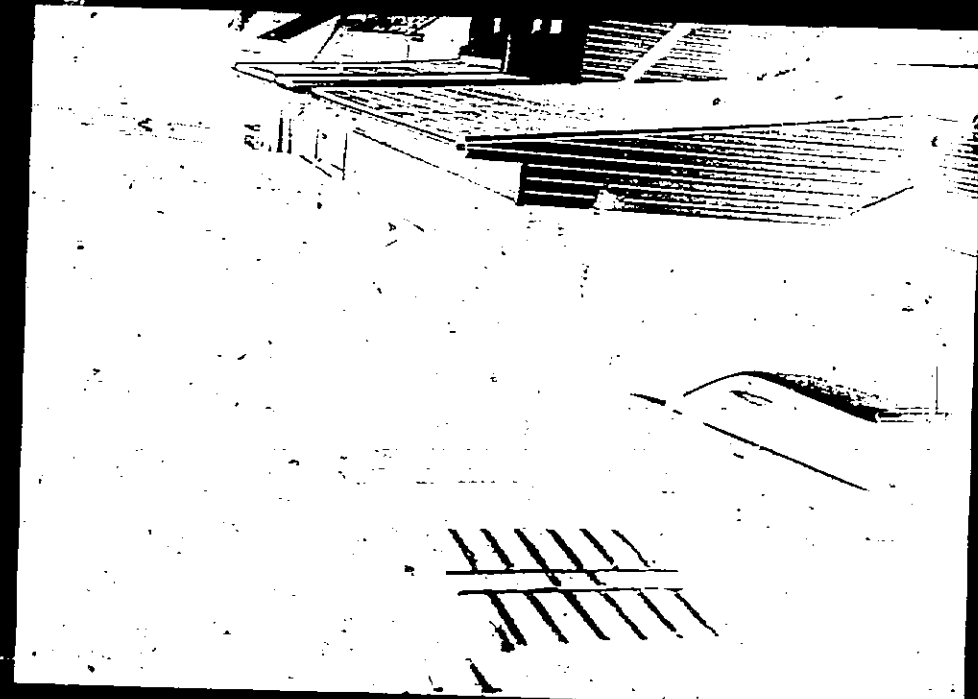
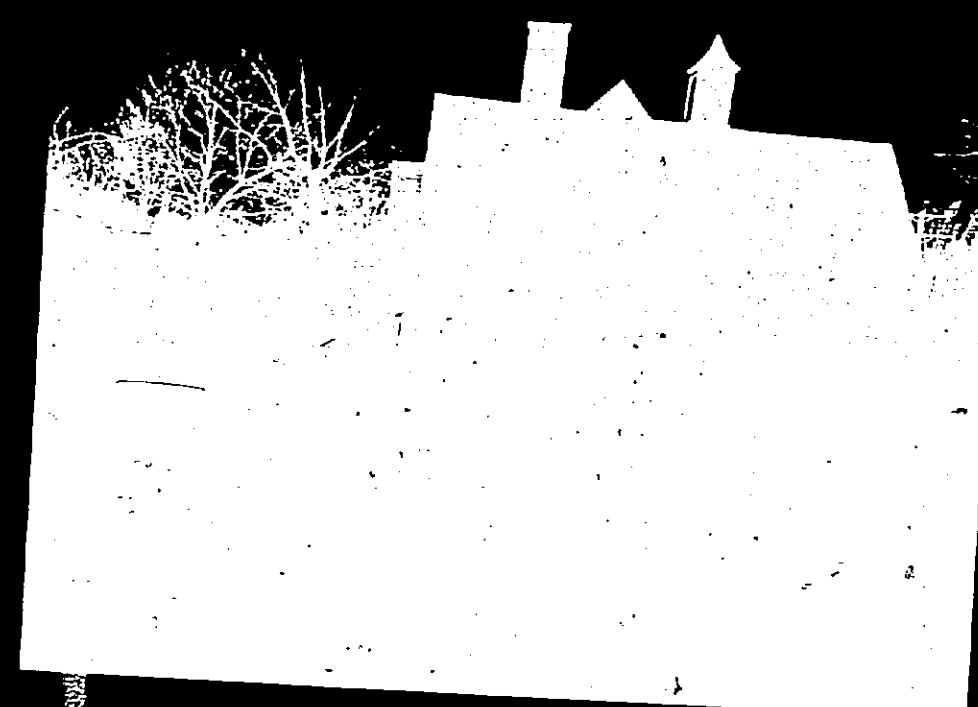
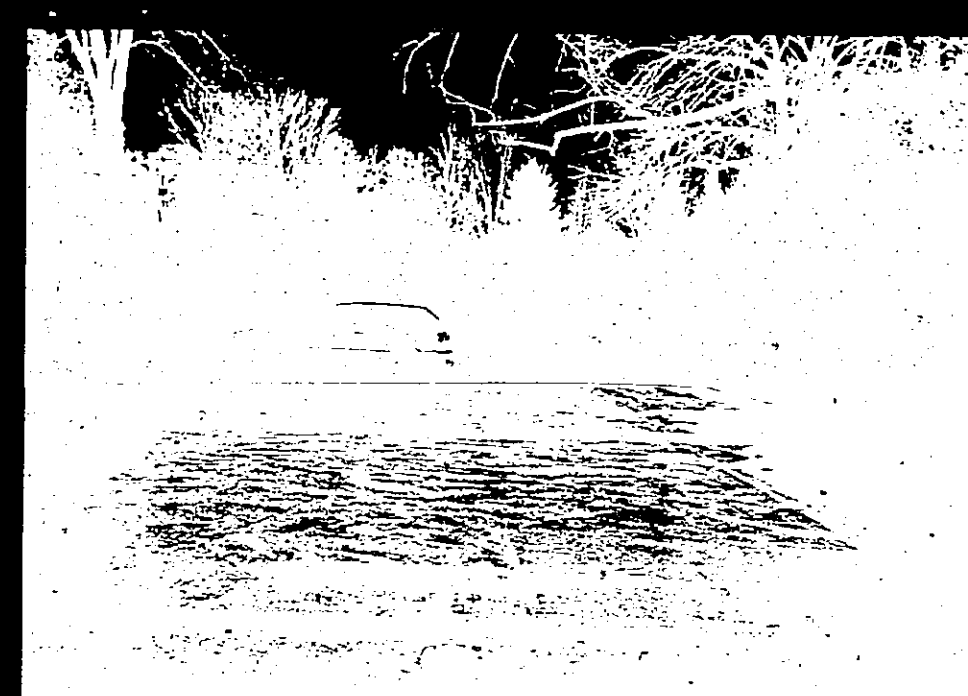
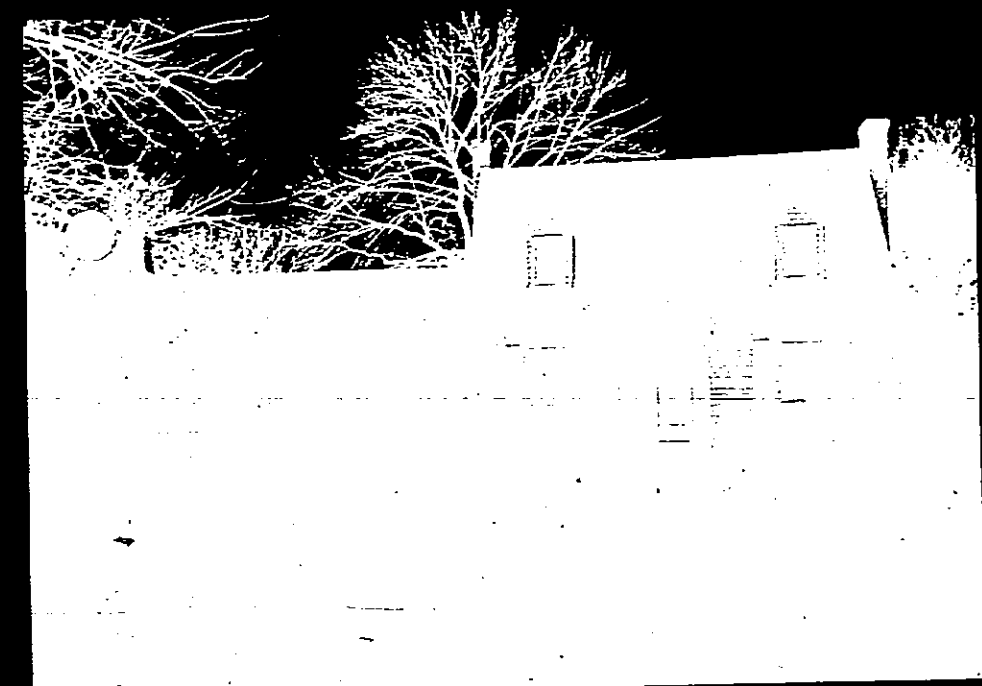
My Commission Expires: 6/14/1997



**1707 FREDERICK ROAD**  
**SQUARE FOOTAGE FOR NONCONFORMING USE**

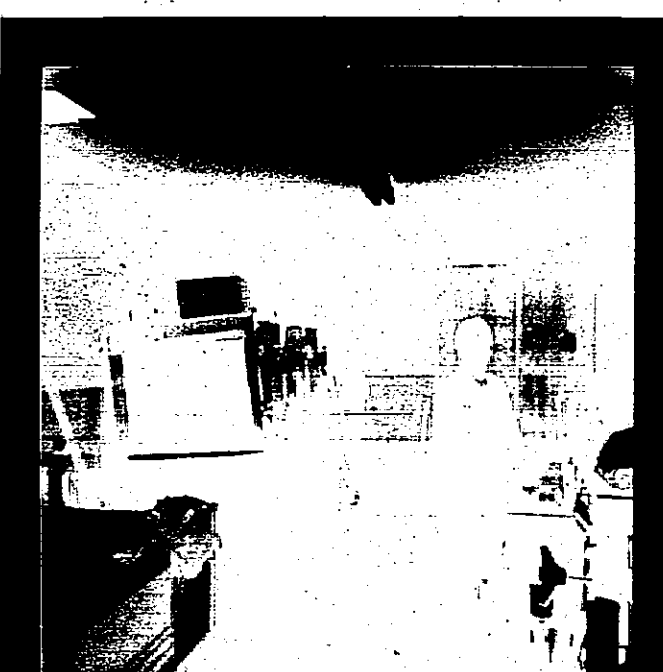
Clipping/Storage Area	420 square feet
Front Examining/Waiting Area	420 square feet
Back Examining/X-Ray Area	364 square feet
Kennel Room/Storage Area	706 square feet
TOTAL AREA UTILIZED (PRE-1959)	1910 square feet
Outdoor Runs	255 square feet
TOTAL AREA UTILIZED (POST-1959)	2165 square feet





"A"

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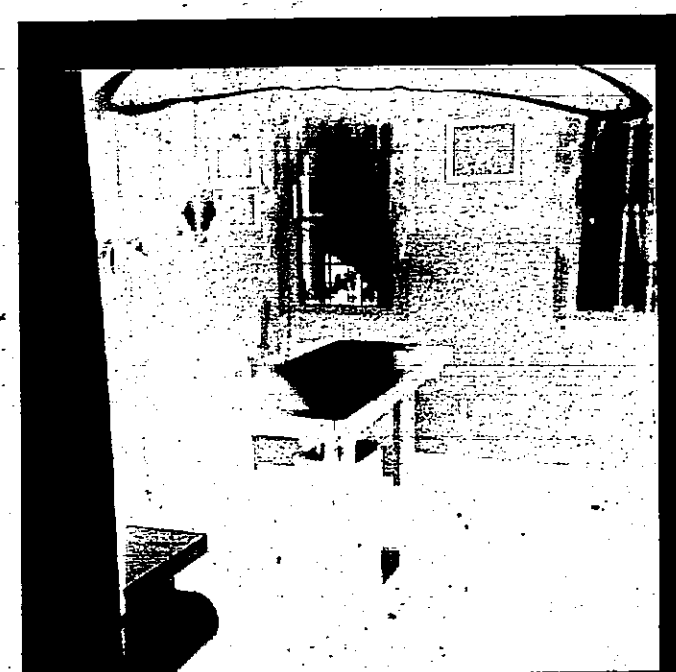
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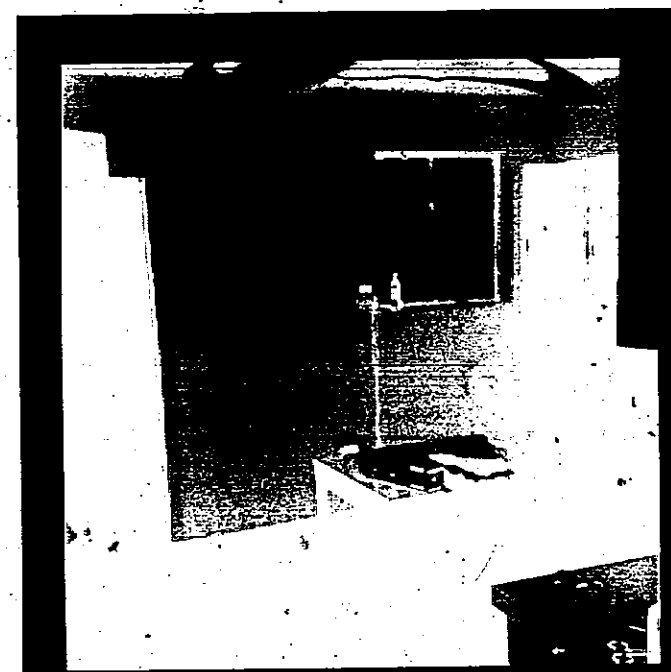
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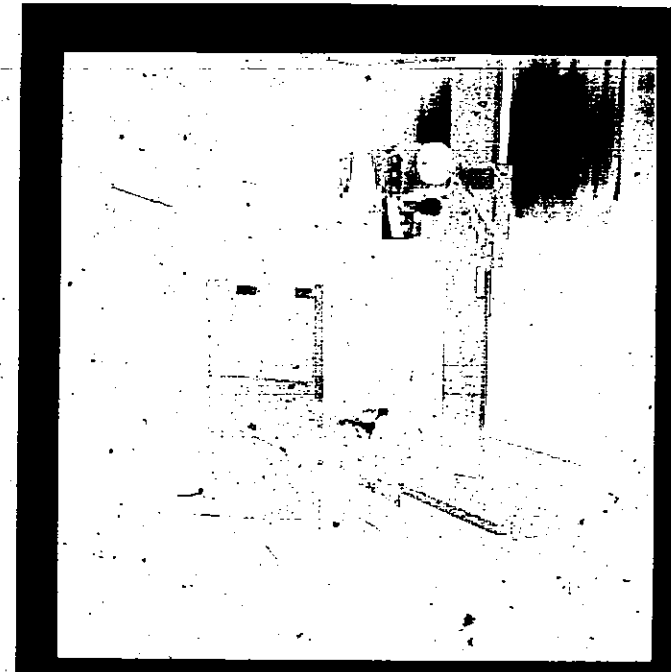
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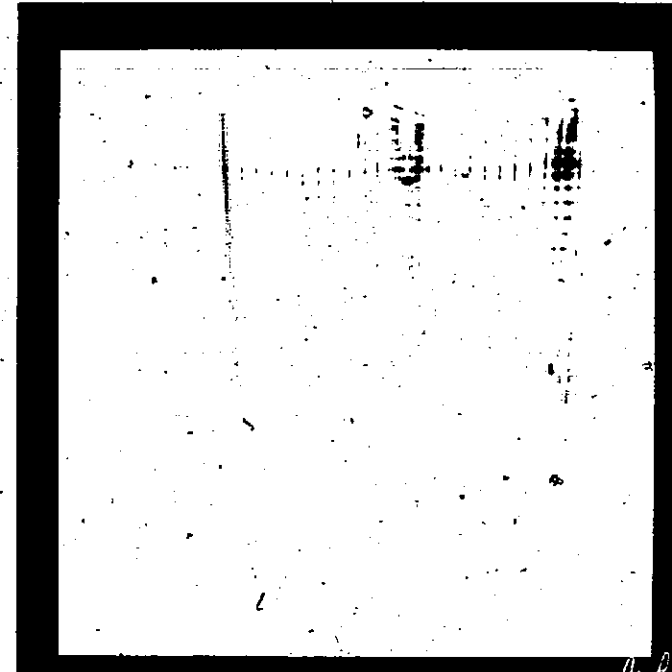
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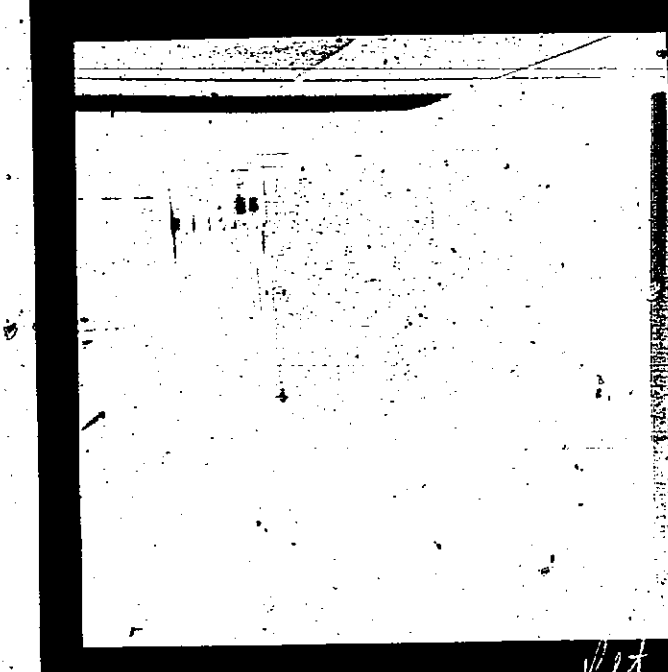
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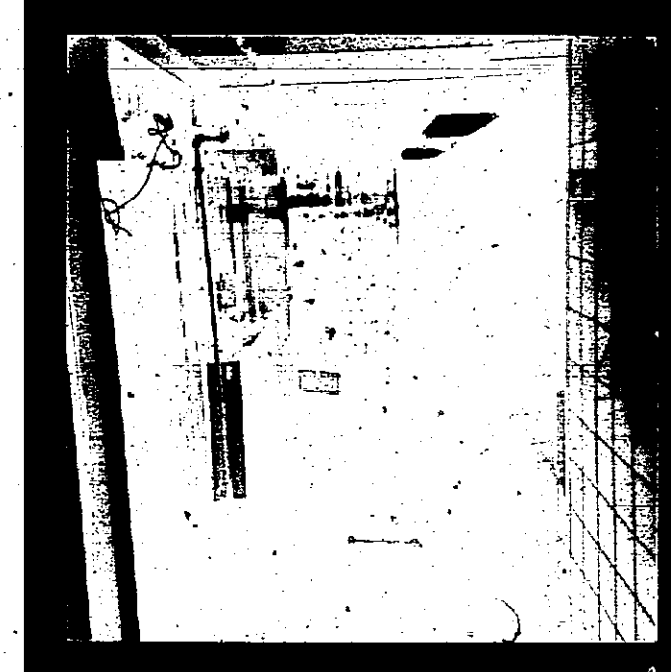
Kennels

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Kennels

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Kennels

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